

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOE SUNSHINE TRADING LLC,

Plaintiff,

-against-

SHANGHAI TO-MAX TEXTILE CO., LTD., NEW
WAVE FASHION INC., TOP FASHION GROUP
INC., GLORY VICTORY TRADING LIMITED,

Defendants.

23-CV-4444 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS Plaintiff brought this action against Defendants Shanghai To-Max Textile Co., Ltd. (“Shanghai To-Max”), New Wave Fashion Inc. (“New Wave”), Top Fashion Group Inc. (“Top Fashion”), and Glory Victory Trading Limited (“Glory Victory”), Amended Compl., Dkt. 10;

WHEREAS Plaintiff served New Wave and Top Fashion on June 8, 2023, *see* Affs. of Service, Dkts. 12-13, and Glory Victory on August 15, 2023, Aff. of Service, Dkt. 19;

WHEREAS the deadline to answer or otherwise respond to the Complaint has elapsed for all three Defendants, *id.*;

WHEREAS no defendant has either appeared or answered;

WHEREAS Plaintiff obtained certificates of default from the Clerk of Court as to Defendants Glory Victory Trading Limited, New Wave Fashion Inc., and Top Fashion Group Inc., Dkts. 25, 28, 33;

WHEREAS Plaintiff stated in its September 14, 2023, status update letter that it planned to move for an order to show cause why default judgment should not be entered as to these defendants within seven days following its update letter, Dkt. 34 at 2;

WHEREAS Plaintiff has not so moved;

WHEREAS Plaintiff's deadline to serve the remaining defendant Shanghai To-Max was February 29, 2024, *see* Order, Dkt. 21; and

WHEREAS Plaintiff has not filed an affidavit of service showing that Shanghai To-Max has been served;

IT IS HEREBY ORDERED that Plaintiff must move for an order to show cause why default judgment should not be entered against Defendants Glory Victory Trading Limited, New Wave Fashion Inc., and Top Fashion Group Inc., in accordance with this Court's Individual Practices, by no later than **Wednesday, March 13, 2024**.

IT IS FURTHER ORDERED that, by not later than **Wednesday, March 13, 2024**, Plaintiff must show cause why the claims against Shanghai To-Max should not be dismissed for failure to serve or for failure to prosecute.

SO ORDERED.

Date: **March 5, 2024**
New York, New York



VALERIE CAPRONI
United States District Judge